

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA - NORTHERN DIVISION

BETTY ANN BURKS, <u>et al.</u> ,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	No. 2:06-CV-1081-MEF
	:	
EQUITY GROUP-EUFAULA	:	
DIVISION LLC,	:	
	:	
Defendant.	:	

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TRIAL EXHIBIT DISCLOSURE OF  
EQUITY GROUP - EUFAULA DIVISION, LLC.

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Pursuant to Rule 26(a)(3), F.R.C.P., and the Court's Scheduling Order of March 13, 2007, defendant Equity Group - Eufaula Division, LLC ("Equity") makes the following Exhibit Disclosure:

1. 2004 Collective Bargaining Agreement (Davis Dep. Ex. 3)
2. 2008 Collective Bargaining Agreement (Davis Dep. Ex. 4)
3. CP Collective Bargaining Agreement (Davis Dep. Ex. 2)
4. First Amended Complaint (Dkt. No. 33)
5. Answer to Amended Complaint (Dkt. No. 35)
6. Notice of Pending Fair Labor Standards Act Lawsuit
7. Executed Consents to Join For Each Plaintiff (Dkt. Nos. 10-12, 17, 27, 29, 36, 39, 41, 44, 46-48, 50, 53-62, 65-71)
8. Equity Group's Answers to Interrogatories of Betty Ann Burks
9. Equity Group's Response to Request for Production of Betty Ann Burks

10. Equity Group's Response to Plaintiffs' Second Request for Production of Documents
11. Equity Group's Response to Plaintiffs' Request for Admissions
12. Chart of Opt-in plaintiff employment dates, position and wage rate - Log Nos. E100021002-E100021022<sup>1</sup>
13. Layout of Plant with notations - Mills Dep. Ex. 22
14. Recent Layout of Fresh Plant with notations - Log No. E18341
15. Correspondence with the RWDSU regarding pay rates (Log Nos. E37 - E39)
16. Opinion letter promulgated by the United States Department of Labor, Wage and Hour Division, dated June 6, 2002 (FLSA 2002-2)
17. Opinion letter promulgated by the United States Department of Labor, Wage and Hour Division, dated May 14, 2007 (FLSA 2007-10)
18. District Court Opinion in Anderson v. Cagle's, Inc., et al.
19. Eleventh Circuit Opinion in Anderson v. Cagle's, Inc., et al.
20. Order denying Petition for Writ of Certiorari in Anderson v. Cagle's, Inc., et al.
21. District Court Opinion in Davis v. Charoen Pohphand (USA), Inc.

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<sup>1</sup>Equity reserves the right to amend this Exhibit based upon any determination in response to its Motion Decertify Class and Sever.

22. Employee Orientation Manual -- Mills Dep. Ex. 18
23. Good Manufacturing Practices - Fresh Processing -- Log Nos. E161-E166
24. Employee Handbook -- Log Nos. E516 - E627
25. Good Manufacturing Practices - Slaughter, Debone and Further Processing dated August 21, 2007 (revised) - Log Nos. E20653-E20665
26. Excerpt from the USDA Regulations (9 C.F.R. §416.5) - Log No. E20666
27. Report of Stephan A. Konz, produced on May 30, 2008
28. Appendix A to Report of Stephan A. Konz
29. Appendix B to Report of Stephan A. Konz
30. Appendix C to Report of Stephan A. Konz
31. Appendix D to Report of Stephan A. Konz
32. Appendix E to Report of Stephan A. Konz
33. Appendix F to Report of Stephan A. Konz
34. Appendix G to Report of Stephan A. Konz
35. Video Tape - Log No. E20989, or any portion or selection therefrom
36. Video Tape - Log No. E20990, or any portion or selection therefrom
37. Video Tape - Log No. E20991, or any portion or selection therefrom
38. Video Tape - Log No. E20992, or any portion or selection therefrom
39. Video Tape - Log No. E20993, or any portion or selection therefrom

40. Video Tape - Log No. E20994, or any portion or selection therefrom
41. Video Tape - Log No. E20995, or any portion or selection therefrom
42. Video Tape - Log No. E20996, or any portion or selection therefrom
43. Video Tape - Log No. E20997, or any portion or selection therefrom
44. Video Tape - Log No. E20998, or any portion or selection therefrom
45. Video Tape - Log No. E20999, or any portion or selection therefrom
46. Video Tape - Log No. E20100, or any portion or selection therefrom
47. Electronic Kronos Time Detail Reports, produced electronically on July 3, 2008, or any portion or selection therefrom.
48. Department codes for KRONOS Time Detail Reports - Log No. E20501
49. Pay Rules - Log Nos. E173-E184
50. Exception List for Time Detail Report - Log No. E18344
51. Standard E-mail re Time Detail - Log Nos. E18349-E18362
52. Plaintiffs' Answer's to Equity's Interrogatories - each Answer is sub-number of this exhibit (i.e., Mary Allen, 52.1, Virginia Avery, 52.2, etc.)
  - (1) Mary Allen
  - (2) Virginia Avery
  - (3) Lillie Banks

- (4) Teresa Baxter
- (5) James Bedell
- (6) Katina Binion
- (7) Dorothy Blackmon
- (8) Willie May Blackmon
- (9) Karen Bowens
- (10) Betty Ann Burks
- (11) Pearline Burks
- (12) Sharon Bush
- (13) Brenda Calhoun
- (14) Ethel Carter
- (15) Suevetta Coleman
- (16) Latoya Corbitt
- (17) Anthony Culver
- (18) Tiffany Cunningham
- (19) Barbara Darby
- (20) Laurie Delbridge
- (21) Cherry A. DuVose
- (22) Katrina Favors
- (23) Chanda L. Ferguson
- (24) Kenneth Ford
- (25) Salintha Foster
- (26) Shervonne Foster
- (27) Renata Fuller
- (28) Glenn Tangela
- (29) Annie Glover-Patrick
- (30) Thomas Gosha
- (31) Alfonza Green

- (32) Gloria Gullette
- (33) Jimmy Lee Hamilton
- (34) Brian Hanks
- (35) Larry Hicks
- (36) Annie Ivery
- (37) Andre Jackson
- (38) Johnny L. Jackson
- (39) Terrance Jackson
- (40) Molinda J. Jacobs
- (41) Annie R. Johnson
- (42) Cedric D. Johnson
- (43) Derinda Johnson
- (44) Jennifer T. Johnson
- (45) Bessie Jones
- (46) Lottie Jones
- (47) Patricia Jones
- (48) Arleen Kennedy
- (49) Shirley Kennedy
- (50) Tracy L. Kennedy
- (51) Steven L. Kincey
- (52) Evelyn Lampley
- (53) Serenda Lampley
- (54) Emily Laseter
- (55) Felicia Laseter
- (56) Christopher Laster
- (57) Eddie Lewis
- (58) Brenda Lightner-Slater
- (59) Margie B. Lohman

- (60) Atravous Mahone
- (61) Anthony B. March
- (62) Mary March
- (63) Elethia Marshall
- (64) Monroe McCall
- (65) Dianne McCloud
- (66) Gertha R. McCrae
- (67) Anthony McKinnon
- (68) Dorothy A. McNair
- (69) Renna Merrill
- (70) Shakeria Moore
- (71) Dorothy Mulkey
- (72) Tony Newman
- (73) Krista R. Oliver
- (74) Andrea Paige
- (75) Jennifer Parham
- (76) Juanita Jones-Parham
- (77) Valerie Parker
- (78) Antonio L. Pearson
- (79) Marquita Person
- (80) Benjamin Phillips
- (81) Johnnie Mae Posey
- (82) Coretta Y. Reeves
- (83) Marcus Terrell Rice
- (84) Calvin F. Richardson, Jr.
- (85) Denise Richardson
- (86) Laurie Jones Robinson
- (87) Margaret Robinson

- (88) Michael Robinson
- (89) Doris Sanders
- (90) Samuel Shabazz
- (91) Rose D. Shaw
- (92) Rebecca Shorter
- (93) Vivian Shorter
- (94) Gregory Sinquefield
- (95) Kendrick Spann
- (96) Theresa Starling
- (97) Tiffany Starling
- (98) Anthony Streeter
- (99) Terrance Tennille
- (100) Larry Jerome Thomas, Jr.
- (101) Shemiece Thompkins
- (102) Lillian Thompson
- (103) Shereekia Thornton
- (104) Courtney Tolbert
- (105) Carolyn Turner
- (106) Dorsel Turner
- (107) Lakeshia E. Warren
- (108) Tarshekia Warren
- (109) Dornal Whigham
- (110) John Whigham
- (111) Patricia Whigham
- (112) Gary White
- (113) Wendy White
- (114) Albert William
- (115) Vernie Williams



(116) Betty Young

(117) Chanda Young

(118) Santinia Young

53. Composite Exhibit of Personnel Files produced for all opt-in plaintiffs, or selected documents therefrom.

Equity reserves the right to use any Exhibit identified by any other party to the litigation and to use, for purposes of rebuttal or impeachment, documents or exhibits not identified by any party. Equity also reserves the right to use summaries or excerpts of the foregoing exhibits. Equity reserves the right to supplement this list in advance of trial.

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Eufaula Division, LLC

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	:	
EQUITY GROUP EUFAULA	:	
DIVISION LLC,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

The undersigned counsel for Equity Group-Eufaula Division, LLC hereby certifies that a true and correct copy of its Exhibit Disclosure in the above-captioned matter was filed electronically with the Clerk of Court on August 20, 2008 using the CM/ECF system, which will send notification of such filing to:

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